

FACT SHEET
The Buckeye Knoll Site (41VT98)
Channel to Victoria Project
Corps of Engineers, Galveston District
August 4, 2003

The Buckeye Knoll Site (41VT98) is located on the Channel to Victoria, an existing shallow-draft navigation channel that is the site of a navigation improvement project by the U.S. Army Corps of Engineers, Galveston District (SWG). The local sponsors of the project are the Victoria County Navigation District (Port of Victoria) and the West Side Calhoun County Navigation District. The archeological site is located on property owned by DuPont Textiles and Interiors (DuPont) and used by SWG under an easement for navigation-related purposes.

In compliance with Section 106 of the National Historic Preservation Act (NHPA), SWG conducted an archeological assessment of this site from November 2000 through July 2001. This work identified a discrete Early Archaic cemetery (circa 7,000 yrs BP) and other cultural components dating from 10,000 through 1,000 yrs BP. When numerous burials were uncovered at the site, a modified work plan was developed in consultation with the SHPO which resulted in the recovery of 79 interments and their removal to the SWG consultant's off-site laboratory.

In order to comply with the NHPA's requirements for consultation with all interested parties, SWG initiated extensive Section 106 consultations regarding the treatment of human remains and archeological materials from the site in July, 2001. SWG consulted with the SHPO and the ACHP, 12 Federally-recognized tribes, an organization representing a non-federally-recognized tribe, 3 national and state archeological organizations, and the general public to solicit input and obtain a full range of views as prescribed by the 36 CFR 800 regulations.

The applicability of the Native American Graves Protection and Repatriation Act (NAGPRA) was thoroughly explored and it was determined that the Act did not apply to this action because the site is not located on property owned in fee by the Federal government. The matter of NAGPRA applicability was referred to the National NAGPRA Program, US Department of Interior (DOI), by the Comanche Tribe during the June 2002 meeting of the Review Committee. The Review Committee is an advisory body in DOI with review authority directly granted through statutory language contained in NAGPRA. The National NAGPRA program's Oct 25, 2002 report states that information obtained by their review staff regarding this specific situation indicates that NAGPRA does not apply in this case.

The archeological significance of this site was evaluated by a team of technical experts engaged by the SWG. The site was determined to be the largest Early Archaic cemetery (ca. 7,000 years old) ever found west of the Mississippi River, and one of the three largest early cemeteries with preserved human remains in all of North America. The site has also yielded the most complete sequence of stratified cultural deposits yet found in southern Texas, a sequence estimated to represent some 10,000 years. SWG concluded that analysis of the human remains is necessary because they are the only evidence of the unique Early Archaic occupation at the site. This means that questions important to the prehistory of North America cannot be answered without direct analysis of the remains and associated mortuary materials. SWG developed a treatment

plan which balances the diverse concerns of Native Americans and the archeological community to the greatest extent possible.

The treatment plan includes standard bioarcheological physical analysis of all the human remains, destructive analyses of small tooth or bone fragments from a statistically significant sample of the interments, and full analysis of all other Buckeye Knoll archeological materials. The amount of bone removed will be closely monitored and managed to ensure the least possible disturbance. Throughout this process, SWG has been concerned that the human remains be treated with dignity and respect, that they be housed in a stable and secure environment, and that the concerns of the Native Americans regarding their treatment be accommodated to the greatest extent possible. At the conclusion of the bioarcheological analyses, the human remains and associated mortuary goods will be returned to DuPont in Victoria, Texas where reinterment within the site of origin is planned. The decision regarding ultimate disposition is the responsibility of DuPont.

The SHPO and ACHP support SWG's determination that the archeological significance of the Early Archaic cemetery outweighs tribal objections in this specific instance. Both agencies have formally concurred with the treatment plan. None of the tribes which actively consulted with SWG support the analysis. They have requested immediate reburial without analysis. SWG expects to begin the analysis phase with a contract award by mid-August 2003. SWG intends to complete the analysis of the human remains within two years and return all remains and mortuary artifacts to DuPont. A complete record of the consultation history and decision rationale are provided in SWG's *Statement of Findings, USACE District Galveston, Final Treatment Plan, Human Remains and Archeological Materials from the Buckeye Knoll Site (41VT98)*, which was signed by Colonel Leonard Waterworth, Galveston District Commander on July 15, 2003.